

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Angelo Sguinzi

Serial No.: 10/579,012

Filed: June 14, 2006

For: SYSTEM FOR SECURING A MONOBLOCK WINDOW TO A VEHICLE BODY

Confirmation No.: 4936

Date: August 19, 2008

Group Art Unit: 3612

Examiner: Kiran B. Patel

VIA EFS-WEB

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

The present Response is responsive to the Notification of Non-Compliant Appeal Brief mailed August 4, 2008, a copy of which is appended herewith for the convenience of the Examiner, alleging defects in Section V of the Appeal Brief filed on July 22, 2008. Attached hereto is a replacement page 2 for the Appeal Brief containing amended Section V along with unamended Section IV. With this amended Section V, the Appeal Brief is believed to comply with all of the requirements of 37 C.F.R. §41.37.

Any additional fees or charges required at this time in connection with this application and/or this appeal may be charged to Patent and Trademark Office Deposit Account No. 15-0700.

Respectfully submitted,



ROBERT C. FABER
Registration No.: 24,322
Ostrolenk, Faber, Gerb & Soffen, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

RCF:GB:ns

IV. STATUS OF AMENDMENTS

An Amendment under 37 C.F.R. § 1.116 amending the claims was filed on April 9, 2008. An Advisory Action mailed April 21, 2008 stated that the claim amendments would not be entered. However, a subsequent Advisory Action mailed May 7, 2008 stated that the amendments to the claims will be entered. Accordingly, there are no outstanding claim amendments that have not been entered into the record.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Claims 1-8 and 10 are directed to a system for securing a window including an outer glass to a vehicle body. As described at Specification, page 2, lines 10-14, some conventional vehicle window mounting systems have the disadvantage that they require a bulky body side profile and can tend to lend a heavier appearance to the vehicle body because of laterally projecting metal draw pieces that are part of the window mounting system. In other conventional vehicle window mounting systems, the outer glass is glued to the outer surface of the vehicle body opening, as explained at Specification, page 3, lines 2-5. However, such mounting systems considerably increase the cost of vehicle window maintenance and disassembly, as explained at Specification, page 3, lines 11-14.

According to the system claimed in claim 1, the window chassis 2 supports the outer glass 1 and the gluing element 3 glues the outer glass 1 to the window chassis 2, as shown in Fig. 3 of the Drawings (Specification, page 5, lines 16-19). A counterchassis, which includes a z-shaped draw piece 6 (originally filed claim 1, lines 7-9), is positioned to connect the window chassis 2 (Specification, page 6, lines 5-8) to the vehicle body 12, the z-shaped draw piece 6 of the counterchassis being glued to the vehicle body 12 (Specification, page 6, lines 9-12). The z-shaped draw piece 6 of the counterchassis includes an outer portion 7 (Specification, page 6, lines 13-15) and an inner wing 9 (Specification, page 6, lines 21-23), such that the outer portion and the inner wing are connected and such that the outer portion 7 is substantially coplanar to the outer glass 1 (Specification, page 6, lines 13-17). Further, a reversible fastener 14 connects the draw piece 6 to the window chassis 2 (Specification, page 6, lines 21-23). Accordingly, a more streamlined and less bulky appearance may be imparted to the vehicle body because of the coplanar alignment of the outer portion 7 with the outer glass 1 (Specification, page 6, lines 13-20). Claims 11 and 12 are directed to the system of claim 1 and the outer glass, and to the system of claim 1 and the vehicle body, respectively.



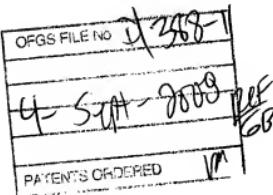
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,012	06/14/2006	Angelo Sguinzi	P/388-11	4936
2352	7590	08/04/2008		EXAMINER
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			ART UNIT	PAPER NUMBER

DATE MAILED: 08/04/2008

Please find below and/or attached an Office communication concerning this application or proceeding.



Notification of Non-Compliant Appeal Brief (37 CFR 41.37)	Application No. 10/579,012	Applicant(s) SGUINZI, ANGELO
	Examiner Kiran Patel	Art Unit 3612

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 22 July 2008 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi))
6. The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. Other (including any explanation in support of the above items):

1.) Heading V of the brief should read "Summary of the claimed subject matter".

2.) The summary of claimed subject matter fails to identify and separately refer each independent claim (1) to the specification by page and line number.

The appellant may choose to only submit the defective section of the brief, an entire new brief is not required .

/Timothy Cole/
T.Cole
Patent Appeal Specialist